

MINUTES OF THE PUBLIC HEARING AND BOARD OF TRUSTEES MEETING HELD ON JUNE 17, 2023 AT 103 BROADWAY, SALTAIRE, NEW YORK, WITH A REMOTE ATTENDANCE OPTION VIA AN AUDIO/VIDEO CONNECTION TO THE INTERNET.

Mayor O'Brien called the Board of Trustees meeting to order at 8:07 a.m., and the following were in attendance:

Hugh O'Brien, Mayor
Frank Wolf, Deputy Mayor, Trustee
Nat Oppenheimer, Trustee
Susan Skerritt, Trustee
Anna Kovner, Trustee
Joseph Prokop, Village Attorney
Mario Posillico, Administrator & Clerk
And at times up to 0 persons attended in-person and 0 other attendees observed through internet connection

ADJOURN INTO EXECUTIVE SESSION

Trustee Oppenheimer made a motion at 8:07 a.m. that the Board adjourn into Executive Session to discuss one or more of the following: information relating to current and future investigation and or prosecution of offenses in the Village, litigation strategy in pending or future litigation, personnel matters as described in Public Officers Law Section 105(f), and the purchase or sale of real property. The motion was seconded by Trustee Kovner and on call it was approved according to the following vote:

Motion: Trustee Oppenheimer
Seconded: Trustee Kovner
In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner
Against: None
Abstain: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Kovner made a motion at 9:00 a.m. to close the Executive Session and to re-adjourn into public session. The motion was seconded by Trustee Oppenheimer and on call it was approved according to the following vote:

Motion: Trustee Kovner
Seconded: Trustee Oppenheimer
In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner
Against: None
Abstain: None

Mayor O'Brien called the Public Meeting to order at 9:08 a.m. and the following were in attendance:

Hugh O'Brien, Mayor
Frank Wolf, Deputy Mayor, Trustee
Nat Oppenheimer, Trustee
Susan Skerritt, Trustee

Anna Kovner, Trustee
Joseph Prokop, Village Attorney
Mario Posillico, Administrator & Clerk
Catherine O'Brien, Deputy Village Clerk
And at times up to 12 persons attended in-person and at times up to 12
other attendees observed through internet connection

PUBLIC HEARING ON CONSIDERATION OF LOCAL LAW TO AMEND CHAPTERS 25 AND 50 TO REGULATE THE USE AND STORAGE OF LITHIUM BATTERIES

Mayor O'Brien provided an overview of the draft legislation to regulate the safe use and storage of lithium-ion batteries, which had become universally acknowledged as a source of increased fire risk under certain circumstances. After further discussion amongst the members of the Board and those in attendance, and after all having had a chance to be heard, Trustee Oppenheimer made a motion at 9:35 a.m. to close the Public Hearing on the proposed local law to regulate the use and storage of lithium-ion batteries, with the goal to have a revised version reflecting the comments received ready for the next scheduled Board meeting. The motion was seconded by Trustee Skerritt, and the motion was carried according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Skerritt

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

APPOINTMENT OF ANTHONY CAMPOS TO THE POSITION OF CODE ENFORCEMENT SUPERVISOR

Mayor O'Brien announced the retirement of Public Safety Chief Bob Rittenhouse effective May 31, 2023 and wished him well in his future endeavors. He also stated that during the transition period that was underway for a few months, he thanked officers Anthony Campos and Chris Degni for their leadership in organizing recruiting and retaining the Public Safety staff for the summer. After discussion and all having chance to be heard, Trustee Wolf made a motion to appoint Officer Campos as the Village's Code Enforcement Supervisor, the job description which had previously been approved by Suffolk County Civil Service, which includes management of all code violations summonses as well as all of the Security Guards in the Village of Saltaire Public Safety Department. The motion was seconded by Trustee Kovner, and the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Kovner

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

APPOINTMENT OF INSPECTORS OF ELECTION

Trustee Skerritt made a motion to appoint the following Saltaire residents as Inspectors of Election for the 2023 Saltaire election:

Liv Hempel

Chairperson

Roseanne Larson	Inspector
Steve Kunreuther	Inspector
Allison Williams	Inspector
Georgine Posillico	Alternate
Rosemarie Pico	Alternate
Kathryn Morlet	Alternate

The motion was seconded by Trustee Wolf, and on call it was approved according to the following vote:

Motion: Trustee Skerritt

Seconded: Trustee Wolf

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF SALTAIRE AUTHORIZING THE SUBMITTAL OF GRANT APPLICATION TO THE NYS WATER INFRASTRUCTURE IMPROVEMENT ACT

After discussion on the subject, Trustee Oppenheimer made the following motion:

WHEREAS, the Clean Water Infrastructure Act of 2017 will invest at least \$1 billion in clean and drinking water infrastructure projects and water quality protection projects across the State of New York, and

WHEREAS, a portion of these funds will be made available in 2023, with some allocated for drinking water projects and some allocated for wastewater infrastructure projects, and

WHEREAS, under this program the Environmental Facilities Corporation (EFC) provides grants to assist municipalities in funding water quality infrastructure projects for the replacement or repair of infrastructure or compliance with relevant environmental and public health laws, and

WHEREAS, drinking water awardees will receive 60 percent of eligible project costs or \$5 million, whichever is less, and

WHEREAS, the grant application and documentation sufficient for a project to be considered for a WIIA grant must be submitted to the EFC no later than 5:00 p.m. on July 28, 2023, and

WHEREAS, the Board of Trustees of the Village of Saltaire believes itself to be qualified for a NYS WIIA Grant, and is willing to carry out all activities described in the grant application, and

WHEREAS, in this action the Village of Saltaire will, upon an award and acceptance of the grant, consider a separate authorization from the Board of Trustee to enter into an agreement with the EFC pursuant to terms to be negotiated;

NOW THEREFORE, after discussion and due deliberation, and in consideration of the above recitals, the Board unanimously, adopted the following resolution:

RESOLVED, that the Board of Trustees of the Village of Saltaire authorizes the submittal of grant applications for the following project: Water Main Replacement at Various Locations throughout the Village, to the NYS Water Infrastructure Improvement Act (WIIA) and authorizes H2M Architects & Engineers to act as an authorized Agent on behalf of the Village.

FURTHER RESOLVED that the Village of Saltaire requests the funds and assistance available from the NYS WIIA Grant and upon an award and acceptance of the grant will comply with all rules and requirements of this program, and further,

WHEREAS the Board of Trustees is considering the above resolution for the submittal of grant applications for the following project: Water Main Replacement at Various Locations throughout the Village, and

WHEREAS the grant submission process requires the completion of the SEQRA-State Environmental Quality Review Act, and

WHEREAS the Village's engineer has completed a Short Form Assessment in analysis of the subject project and recommended that the project is a Type II action.

NOW THEREFORE, after discussion and due deliberation, and in consideration of the above recitals, it is

FURTHER RESOLVED, that the Board of Trustees of the Inc. Village of Saltaire has determined that the project is a Type II action and therefore requires no further review in accordance with 617.5, and further

WHEREAS the Village of Trustees is desirous of constructing water distribution system improvements to improve water quality via replacement of undersized, unlined water mains and appurtenances in various locations throughout the Village, and had authorized H2M Architects & Engineers to prepare engineering design documents and submit and comply with Suffolk County and New York State Department of Health requirements for said modifications, and

WHEREAS the project to complete the stated modifications will include engineering, permit review fees, all construction related to water main replacement and restoration, laboratory sampling and analysis, estimated as not to exceed \$6,500,000.

NOW THEREFORE, after discussion and due deliberation, and in consideration of the above recitals,

BE IT RESOLVED, that the Board of Trustees of the Village of Saltaire will, upon an award and acceptance of the grant by New York State, consider a separate authorization from the Board of Trustees to enter into an agreement with the EFC pursuant to terms to be negotiated, and conditioned upon and subsequent to the execution of such agreement, undertake necessary resolutions to fund the balance of the project expenditures not covered by the grant award for the Water Main Replacement at Various Locations throughout the Village.

The motion was seconded by Trustee Kovner, and the motion was carried according to the following vote:

Motion: Trustee Oppenheimer
Seconded: Trustee Kovner

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner
Abstain: None
Against: None

AUTHORIZATION FOR FIRE TRAINING ON A PLANNED-TO-BE DEMOLISHED STRUCTURE

Village Administrator Posillico reported that the new owner of 33 Bay Promenade has indicated that he wishes to build a new home at that location, and has offered to allow the Saltaire Volunteer Fire Company (SVFC) to train on the existing home prior to its demolition. Administrator Posillico had previously distributed the standard contract that had been successfully used in prior similar situations to protect the Village, the SVFC and the owner for this type of drill, and requested authorization to execute the contract with the new owner for a live drill in the 2023-24 off-season. After discussion, and all having a chance to be heard, Trustee Wolf made a motion to authorize the Village Administrator to execute a contract with the owners of 33 Bay Prom for live training by the SVFC in the 2023-24 off-season. The motion was seconded by Trustee Kovner and on call it was carried according to the following action:

Motion: Trustee Wolf

Seconded: Trustee Kovner

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Against: None

Abstain: None

CONDITIONAL APPROVAL OF 2023 FIREWORKS SHOW

Mayor O'Brien reported that the Saltaire Events Organization (SEO) has been soliciting funds for a 2023 Fireworks show on August 5 as part of the SCA's Bay Picnic event. Representatives of the SEO were present and stated that bids for the fireworks ranged from \$22,000 to \$28,000 depending upon the length of the show. They also stated that they had raised approximately \$17,000 towards the event, and further requested that the Board of Trustees authorize Village expenditures to bridge the gap between the \$17,000.00 raised and the ultimate cost of fireworks. After discussion, and all having a chance to be heard, Trustee Oppenheimer made a motion to authorize the Village Administrator to execute a contract with Grucci Fireworks for any length of show for a cost to the Village not to exceed \$1,000, excluding the cost of Village staff to plan and attend the event, which shall be used to pay for insurance and other incidentals but not for the firework expense itself, and only after receipt of the final donation amount from the SEO toward the fireworks show. The motion was seconded by Trustee Wolf and on call it was carried according to the following action:

Motion: Trustee Oppenheimer

Seconded: Trustee Wolf

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Kovner

Against: Trustee Skerritt

Abstain: None

OMBUDS OFFICER DISCUSSION

Trustee Wolf reported that he had submitted a draft policy and resolution to the Board for the creation of an Ombuds officer, proposed to be included as part of the employee and volunteer complaint/conflict resolution process. He stated that other private and public organizations have successfully used an Ombuds officer to more quickly and inexpensively resolve personnel issues that may arise from time to time. Mayor O'Brien stated that he felt the draft policy was very close to

being in final form, and anticipated it would be ready for formal presentation and adoption at the next scheduled Board meeting

AUTHORIZATION FOR PUBLIC HEARING ON LOCAL LAW TO REGULATE CHAPTER 55, ZONING FOR THE UNLOTTED AREA

Mayor O'Brien reported that the Board has been discussing possible modification of Chapter 55 regarding the required setbacks and maximum coverages of smaller parcels in the Unlotted Area. Administrator Posillico presented and described how the proposed modifications would impact the density in the proposed parcels that would be modified in the Unlotted Area. Mayor O'Brien stated that he felt that good progress has been made on the proposed law and that a final draft should be ready for public discussion at the next scheduled meeting. After discussion and all having a chance to be heard, Trustee Oppenheimer made a motion to consider amendments to Chapters 55 of the Village Code at a public hearing scheduled for the same date as the next scheduled Board of Trustees meeting.

The motion was seconded by Trustee Skerritt, and on call the motion was carried according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Skerritt

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

AUTHORIZATION FOR PUBLIC HEARING ON LOCAL LAW TO REGULATE CHAPTERS 50 & 55 TO REGULATE PARKING OF VEHICLES AND EQUIPMENT

Mayor O'Brien reported that Trustee Wolf had proposed draft revisions to both Chapters 50 and 55 regarding parking of different types of vehicles and equipment within the borders of the Village. Mayor O'Brien stated that he felt that good progress was made on the proposed draft and should be ready for consideration at the next scheduled meeting. After discussion and all having a chance to be heard, Trustee Wolf made a motion to consider amendments to Chapters 50 and 55 of the Village Code regarding parking of vehicles and equipment at a public hearing scheduled for the same date as the next scheduled Board of Trustees meeting.

The motion was seconded by Trustee Oppenheimer and on call the motion was carried according to the following vote:

Motion: Trustee Wolf

Seconded: Trustee Oppenheimer

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

CAPITAL PROJECT UPDATE

Village Administrator Posillico reported on the following capital projects:

- 14 Bay Prom: The final approved plan has been put out for public bid, with bids due back on July 13, 2023. The Board will present and discuss the bid results at the next scheduled Board meeting.

- Playground Project: The SCA is finalizing the plan and presentation materials for the new playground/park concept that has been developed with the considerable help of Village resident architect Jeff Murphy. The SCA plans a public presentation of the design concept in early July.

APPROVAL OF MINUTES

Draft copies of the minutes of the Board of Trustees meeting of May 13, 2023 and May 29, 2023 had previously been presented to the Board and posted in draft form on the Village website. Following discussion, Trustee Skerritt made a motion to adopt the minutes as presented with the minor non-substantive corrections discussed. The motion was seconded by Trustee Wolf and on call it was carried according to the following action:

Motion: Trustee Skerritt

Seconded: Trustee Wolf

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Against: None

Abstain: None

AUDIT AND APPROVAL OF ABSTRACTS

Mayor O'Brien stated that the following Abstracts, having been distributed to the Board and posted on the Village website, were presented for approval by the Village Administrator and the Village Treasurer:

General Fund Checking No. 12B in the amount of \$3,809.37

General Fund Checking No. 1A in the amount of \$291,125.46

Trust & Agency Checking No. 12A in the amount of \$6,000.00

After discussion and opportunity for questions, Trustee Skerritt made a motion that the above-listed abstract(s) be approved as presented and that the Mayor be authorized to execute the warrant(s). The motion was seconded by Trustee Oppenheimer, and on call it carried according to the following vote:

Motion: Trustee Skerritt

Seconded: Trustee Oppenheimer

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Abstain: None

Against: None

ADJOURN INTO EXECUTIVE SESSION

Trustee Oppenheimer made a motion at 11.29 a.m. that the Board adjourn into Executive Session to discuss one or more of the following: information relating to current and future investigation and or prosecution of offenses in the Village, litigation strategy in pending or future litigation, personnel matters as described in Public Officers Law Section 105(f), and the purchase or sale of real property. The motion was seconded by Trustee Kovner and on call it was approved according to the following vote:

Motion: Trustee Oppenheimer

Seconded: Trustee Kovner

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner
Against: None
Abstain: None

RE-ADJOURNMENT INTO PUBLIC SESSION

Trustee Kovner made a motion at 11:42 a.m. to close the Executive Session and to re-adjourn into public session. The motion was seconded by Trustee Oppenheimer and on call it was approved according to the following vote:

Motion: Trustee Kovner

Seconded: Trustee Oppenheimer

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Against: None

Abstain: None

Mayor O'Brien called the Public Meeting to order at 11:42 a.m. and the following were in attendance:

Hugh O'Brien, Mayor

Frank Wolf, Deputy Mayor, Trustee

Nat Oppenheimer, Trustee

Susan Skerritt, Trustee

Anna Kovner, Trustee

Joseph Prokop, Village Attorney

Mario Posillico, Administrator & Clerk

And 0 persons attended in-person and 0 other attendees observed through internet connection

CLOSE OF MEETING

Trustee Oppenheimer made a motion at 11:42 a.m. to close the meeting and to hold the next Board of Trustees meetings according to the following schedule:

- July 23, 2023 at 103 or 105 Broadway, Saltaire, New York with the public portion to start at 9:00 a.m., with remote connection, which will include any Public Hearings.

The motion was seconded by Trustee Kovner and on call it was approved according to the following vote:

Motion: Trustee Oppenheimer

Second: Trustee Kovner

In Favor: Mayor O'Brien, Trustee Wolf, Trustee Oppenheimer, Trustee Skerritt, Trustee Kovner

Against: None

Abstain: None